

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALBERT CHRIS HESTERMAN, an
individual, and LORI TROCHIM, an
individual

Plaintiffs,

v.

RPM INTERNATIONAL, INC., *et al.*,

Defendants.

Case No. 2:18-cv-01821-RAJ

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. Before proceeding further with this matter, the Court is obligated to determine whether it has subject matter jurisdiction. Fed. R. Civ. P. 12(h)(3); *Moore v. Maricopa Cty. Sheriff's Office*, 657 F.3d 890, 894 (9th Cir. 2011). Absent jurisdiction, any determination on the merits would be void. *Watts v. Pinckney*, 752 F.2d 406, 409 (9th Cir. 1985).

Federal courts have diversity jurisdiction over civil actions where the amount in controversy exceeds \$75,000, exclusive of interest and costs, and the case is between citizens of different states. 28 U.S.C. § 1332. Plaintiffs allege this Court has diversity jurisdiction over the action. Dkt. # 3. However, Plaintiffs' Complaint fails to affirmatively allege the citizenship of each corporate party. *See Harris v. Rand*, 682 F.3d 846, 850 (9th Cir. 2012) ("Given their limited jurisdiction, federal courts have repeatedly held that a complaint must include allegations of both the state of incorporation and the

1 principal place of business of corporate parties.”). Accordingly, the Court orders
2 Plaintiffs to show cause as to why this case should not be dismissed for lack of
3 jurisdiction.

4 Plaintiffs shall file a written response to this order, not exceeding five (5) pages,
5 on or before February 8, 2019. Failure to file a response will result in dismissal of this
6 action.

7
8 DATED this 25th day of January, 2019.

9
10 
11

12 The Honorable Richard A. Jones
13 United States District Judge
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28